

**REMARKS**

Applicants respectfully request that the foregoing amendments be made prior to examination of the present application. Applicants elect IL-2 and YB2/0 as the species.

The examiner is of the opinion that Vivier et al. teaches that anti-CD16 antibody cross-linking CD 16 antigen on Jurkat cells results in IL-2 production.

The present invention is very different from the teaching of Vivier et al., since the means used to measure the activation of Jurkat over-expression CD16 on cell surface is not achieved by an anti-CD16 antibody cross-linking CD16 antigen on Jurkat cells, but by an antibody whose specificity is not the CD 16, and that cross-links the CD 16 receptor not by its Fab region but by its Fc region (region which mediates the biological activity of the antibody).

The special technical feature of the invention is a correlation between the ability of the Fc region of an antibody to cross-link the CD16 receptor, the biological activity of the antibody, and the activation of the effector cell, showed by its production of cytokine. This single general inventive concept is not taught in Vivier et al., and so the invention satisfies the requirement of unity.

The nature of the cytokine produced by the effector cell, the nature of the antibody producing cell line and the specificity of the antibody are not elements which participate to the special technical feature over the prior art.

**Objection to the Specification**

Applicants traverse the objection to the specification amendments, which are based on the PTO's own paragraph numbering system used in the published application. Because the paragraph numbering system is the PTO's own paragraph numbering system, the amendments to the specification are clear. Applicants note that the examiner has not cited a Rule or passage of the MPEP in support of the proposition that amendments based on the PTO's own paragraph numbering system are prohibited. Finally, the undersigned attorney notes that he has submitted dozens, if not hundreds, of specification amendments based on the PTO's own

paragraph numbering system where the PTO had no problem in understanding and making such specification amendments.

### IDS

Applicants on March 1, 2006 filed an IDS disclosing 8 references. Return of the initialed Form SB08 with the next communication from the examiner is respectfully requested.

### Drawings

The present application was filed with formal drawings. Acceptance of the drawings by the examiner is respectfully requested in the next communication from the examiner. This is applicants' second request for acknowledgement of the drawings.

### Priority Document

The PTO acknowledged the receipt from the International Bureau of the priority document in the Notification of Acceptance dated July 20, 2005. In the Office Action dated February 13, 2003, the examiner did not check the appropriate box of the Office Action Summary acknowledging receipt of all of the certified copies of the priority documents from the International Bureau. Accordingly, acknowledgement of receipt of the certified copy of the priority document from the International Bureau is respectfully requested in the next communication from the examiner. This is applicants' second request for acknowledgement of the priority document.

### Conclusion

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are

needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By



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